



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

p

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,816	12/13/2001	Hong Cheol Seo	MR2685-104	6245
4586	7590	03/21/2006	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			DUNHAM, JASON B	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/009,816	SEO, HONG CHEOL	
	Examiner	Art Unit	
	Jason B. Dunham	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borgato (U.S. Patent No. 5,950,178) in view of Barnes (U.S. Patent No. 5,970,475).

Referring to claim 1. Borgato discloses an electronic commerce method comprising the steps of:

- Preparing a list of products on a home page of an electronic commerce system server connected to the Internet, the list of products having a product name column representing product names with respect to a number of products, a purchase registration column representing a buyer registration situation with respect to each product, and a sale registration column representing a seller registration situation (Borgato: column 2, lines 35-52);
- Downloading the home page including the list of products when terminals of a number of buyers and sellers are connected to the system server on the internet (Borgato: column 7, lines 23-39);
- Bidding and registering each purchase and sale condition with respect to a particular product in the purchase registration column and the sale registration

Art Unit: 3625

column, by the number of buyers and sellers (Borgato: column 8, lines 3-25 & figure 6);

- Selecting and indicating the highest purchase price and the lowest sale price among a number of purchase conditions and sale conditions whenever a new registration is performed in the purchase registration column and the sale registration column with respect to a particular product (Borgato: abstract);
- Expressing a purchase intention in response to a corrected sale condition of the particular product by the buyer or expressing a sale intention in response to a corrected purchase condition of the particular product by the seller (Borgato: column 13, line 51 – column 14, line 3);

Borgato discloses all of the above but does not expressly disclose a method of remitting a product bill to a bank account of a buyer or seller and delivering the product after remittance of the bill. Barnes discloses an electronic commerce method comprising:

- Remitting a product bill to a designated bank account of a system manager in sequence with the purchase intention in the case that the first priority intention expresser is a buyer, and remitting a product bill to the designated bank account by a buyer selected according to a request of the system server in the case that the first priority intention expresser is a seller (Barnes: abstract & column 3, lines 39-43);
- Requesting the seller to deliver the product to the buyer in reply to the remittance of the product bill (Barnes: column 1, lines 6-13); and

- Remitting the product bill to the seller upon completion of the delivery of the product (Barnes: column 3, line 44 – column 4, line 5).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Borgato to have included remitting a product bill to a bank account of a buyer or seller and delivering the product after remittance of the bill, as taught by Barnes, in order to facilitate transactions between buyer and sellers (Barnes: abstract).

Referring to claim 2. Borgato further discloses a method wherein said product list comprises a market price column showing a market price at a current point in time with respect to each product (Borgato: column 2, lines 17-34).

Referring to claim 3. Borgato further discloses a method wherein said market price is indicated as a just previous contract price in the case that an example of previous contract exists, and is automatically updated whenever a contract is accomplished (Borgato: column 2, lines 17-34).

Referring to claim 4. Borgato further discloses a method wherein said each purchase registration column includes the number of purchase registrants and the highest price, and said each sale registration column includes the number of sale registrants and the lowest price, and said electronic commerce method further comprises the step of providing a common registration window showing a purchase registration situation including at least one buyer brief information and a purchase price with respect to a particular product, and a sale registration situation including at least

one sale price and inventory quantity, in the case that any one of the particular purchase registrants and sale registrants is selected (Borgato: figures 2 & 9).

Referring to claim 5. Borgato further discloses a method comprising the steps of:

- Correcting the purchase and sale conditions by at least one buyer and seller, and bidding the corrected result (Borgato: column 2, lines 1 – 15); and
- Refreshing display information in the common registration window by at least one of the corrected bidding registered purchase condition and sale condition (Borgato: column 13, line 51 – column 14, line 3), wherein display of the purchase intention and the sale intention is accomplished by selecting a purchase price and a sale price of each particular product (Borgato: column 13, line 51 – column 14, line 3).

Referring to claim 6. Borgato further discloses a method wherein said each purchase registration column includes the number of purchase registrants and highest price, and said each sale registration column include the number of sale registrants and the lowest price (Borgato: figure 6, chart 60). Borgato further discloses registration situations as set forth above in arguments to claim 4.

Referring to claim 7. Claim 7 is rejected under the same rationale as set forth above in arguments to claim 5.

Referring to claim 8. Borgato discloses a reverse auction electronic commerce method (Borgato discloses a buyer making a bid for a particular product and allowing sellers to compete for that product) comprising the steps of:

- Preparing a list of products....(disclosed above in arguments to claims 1 & 2);

Art Unit: 3625

- Downloading the home page....(disclosed above in arguments to claim 1);
- Selecting and indicating....(disclosed above in arguments to claim 1);
- Expressing a first priority purchase intention in response to a sale condition of the particular product by one of the bidding registered sellers and non-bidding sellers (Borgato: figure 6);
- Remitting a product bill....(disclosed above in arguments to claim 1);
- Requesting the seller...(disclosed above in arguments to claim 1);
- Remitting the product bill...(disclosed above in arguments to claim 1).

Referring to claim 9. Claim 9 is rejected under the same rationale as set forth above in arguments to claim 5.

Referring to claim 10. Borgato discloses an electronic commerce method comprising the steps of:

- Preparing a list of products....(disclosed above in arguments to claim 1);
- Downloading the home page....(disclosed above in arguments to claim 1);
- Bidding and registering....(disclosed above in arguments to claim 1);
- Selecting by a buyer....(disclosed above in arguments to claims 1 & 8);
- Requesting the seller....(disclosed above in arguments to claims 1 & 8);
- Remitting the product bill to the seller upon being notified of completion of the delivery of the product from the seller to the buyer, to thereby achieve an indefinitely periodical, simultaneous and multi-occurring bidding purchase and bidding sale with respect to a particular product (Borgato: figure 6 and argument to claim 1).

Referring to claims 11-12. Claims 11-12 are rejected under the same rationale as set forth above in arguments to claims 4 & 5.

Referring to claim 13. Borgato further discloses a method wherein said product list further comprises a market price column showing one of a market price, average price, and the lowest price at a current point in time with respect to each product (Borgato: figure 6).

Referring to claim 14. Claim 14 is rejected under the same rationale as set forth above in arguments to claims 1,8, and 10.

Referring to claims 15-16. Claims 15-16 are rejected under the same rationale as set forth above in arguments to claims 1 & 4. The combination of Borgato and Barnes disclose a system as claimed in claims 15-16.

Referring to claims 17-18. Claims 17-18 are rejected under the same rationale as set forth above in arguments to claims 1,8 & 10. The combination of Borgato and Barnes disclose a system as claimed in claims 17-18.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Godin (U.S. Patent No. 6,266,652) discloses a system and method which allows users to participate using their own computers suitably connected to an auction system.

Art Unit: 3625

- Carlton-Foss (U.S. Patent No. 6,647,373) discloses a system and method for processing and transmitting electronic reverse auction information.
- Shavit (U.S. Patent No. 4,799,156) discloses a system and method for interactive on-line electronic communications and processing of business transactions between a plurality of buyer and sellers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason B. Dunham whose telephone number is 571-272-8109. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JBD
Patent Examiner
3/13/06